IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5740 OF 2005

Karbhari Daga Ahire & others. ... Applicants.
Versus.
The State of Maharashtra. ... Respondent.

Shri S.B.Shetye for the Applicants.

Shri R.Y.Mirza, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 9th Sept., 2005.

P.C.:

1. Heard the learned Advocate for the Applicants and the learned A.P.P. for the State. The learned Advocate for the Applicant submitted that the version of the deceased in her statement and dying declaration are contradictory. He pointed out that the statements of the neighbours do not indicate that the Applicants were present. He submitted that considering the evidence on record, there is every possibility that the deceased herself poured kerosene on her person and committed suicide. The learned A.P.P. has placed all relevant material on record.

2. I have considered the submissions. The dying declaration allegedly made by the deceased and her statement on the basis of which the F.I.R. is registered are sufficient to indicate complicity of the Applicants at this stage. The role played by the

Applicants is clearly demonstrated from the dying declaration. In my view, considering the material on record, no case is made out for enlarging the Applicants on bail.

3. The Application is rejected. The trial is expedited and the same shall be concluded within a period of six months by treating it as a High Court expedited trial.

Judge.